

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS**

NOTICE OF REMOVAL

Defendant MICHAELS STORES, INC., seeks removal from the Circuit Court of Winnebago County and to the United States District Court, Northern District of Illinois, Eastern Division and, in support, alleges as follows:

1. On 8/1/22, this action was commenced against Defendant in the Circuit Court of Winnebago County, Illinois. On 8/15/22, a copy of Plaintiff's Complaint was served upon Defendant.

2. At the time the action was commenced and since then, Plaintiff was and is a citizen of the County of Winnebago, State of Illinois and Defendant was and is a corporation organized and existing under the laws of the State of Delaware with its principal place of business in Irving, Texas.

3. The amount in controversy exceeds \$75,000.00 exclusive of interest and costs, as appears from Plaintiff's Complaint. (A copy of which is attached hereto and incorporated herein by reference in this Notice as Exhibit "A"). Plaintiff allegedly slipped and fell on a wet substance on Defendant's floor resulting in personal and pecuniary injuries and medical expenses. Plaintiff has also demanded judgment against Defendant in an amount in excess of \$50,000.00.

4. Plaintiff sustained injuries consisting of (i) a ruptured right hamstring tendon, which required surgery (ii) right hip labral tear, (iii) right leg pain, (iv) right hamstring strain. In light of the above, on 8/10/21 Plaintiff's attorney tendered a settlement demand of \$98,545.75.

5. This action is a civil one of which the United States District Courts have original jurisdiction under 28 U.S.C. §1332.

6. Defendant attaches copies of all process, pleadings, and orders that have been served on it. (A copy of which are attached hereto and incorporated by reference in this Notice as Exhibit "B").

WHEREFORE, Defendant respectfully requests that this case be removed to the United States District Court for the Northern District of Illinois, Eastern Division.

DOWNEY & LENKOV LLC

MICHAELS STORES, INC.,

By: s:/ Rich Lenkov
One of Defendant's Attorneys

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STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

Rich Lenkov, being first duly sworn on oath, deposes and says that:

1. He is one of the attorneys for Defendant;
2. He has prepared and read the Notice of Removal filed in this case and has personal knowledge of the facts and matters contained in it; and
3. The facts and allegations contained in the Notice of Removal are true and correct.

BRYCE DOWNEY & LENKOV LLC

MICHAELS STORES, INC.,

By: s:/Rich Lenkov
One of Defendant's Attorneys

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